

# **LINCOLN PLANNING BOARD**

**JULY 26, 2006**

## **MINUTES**

**The regular meeting of the Planning Board was held on Wednesday, July 26, 2006, at the Town Hall, 100 Old River Road, Lincoln, RI.**

**Chairman Mancini called the meeting to order at 7:10 p.m. The following members were present: Patrick Crowley, Diane Hopkins, John Mancini and Gerald Olean. Absent were David Lund, Gregory Mercurio, and Michael Reilly. Also in attendance were Town Planner Albert Ranaldi, Town Engineer N. Kim Wiegand, and Assistant Town Solicitor Paul Brule. Margaret Weigner kept the minutes.**

**Chairman Mancini advised four members present; have quorum.**

## **SECRETARY'S REPORT**

**There was no secretary report for review.**

## **CONSENT AGENDA**

**Chairman Mancini stated that any item on the consent agenda could**

be removed and discussed separately by making a motion. There are five items on the agenda for consideration.

Chairman Mancini asked what kind of business was at 1011 Smithfield Avenue and Mr. Ranaldi replied that it was a financial planner, but that the sign was big and there was space for two additional business names. Chairman Mancini also asked about the applicant BCO, Inc. and the condition that two units be dedicated as affordable units. He asked Mr. Ranaldi if the Board could do that and Mr. Ranaldi replied yes.

Mr. Olean made a motion to accept the Consent Agenda as recommended by the Technical Review Committee (TRC). Ms. Hopkins seconded motion. Motion passed unanimously.

Mr. Olean made a motion to move item 7B and 7C up on the agenda to the next item. Mr. Crowley seconded motion. Motion passed unanimously.

## **MAJOR SUBDIVISION REVIEW**

b. Marcoux/Gilmore Subdivision AP 15 Lot 47 Preliminary Plan Discussion/

Kevin Marcoux Reservoir Avenue Approval

Mr. Ranaldi stated that this is a subdivision of one (1) lot into two (2)

single-family residential lots. A public hearing was held last month and the concerns of the abutters were noted. A waiver was required for 2 ½:1 lot depth to width ratio as the applicant wants to avoid blasting due to the waterline in the road. There will be onsite dry wells to capture roof runoff. The Town Engineer witnessed the test pits – a slab on grade foundation will be required for the future house.

A sedimentation and erosion control plan must be submitted. A Narragansett Bay Commission (NBC) permit is required. The water issue is not resolved. The applicant is looking at a well. As a condition of approval, the applicant will have to show that water is available before a building permit is issued. Granite bounds must be installed at property line. The TRC recommends that final approval be delegated to the Administrative Officer.

Ms. Wiegand stated that she witnessed the test pits – the house will be build slab on grade. There is no problem going with a well.

Mr. Olean asked if there were any problems with the conditions set forth by the TRC and Mr. Steve Long, the applicant's representative, stated that there were no problems.

Mr. Olean made a motion to approve the Preliminary Plan with the conditions as recommended by the TRC. Mr. Crowley seconded motion. Motion passed unanimously.

Mr. Olean made a motion to delegate final approval to the

**Administrative Officer. Ms. Hopkins seconded motion. Motion passed unanimously.**

**c. Sables Road Subdivision AP 44 Lot 33 Preliminary Plan Discussion/**

**Leslie W. Sables Angell & Whipple Roads Approval**

**Chairman Mancini stated that a public hearing was held on this matter last month.**

**Mr. Ranaldi stated that this is a subdivision of one (1) lot into seventeen (17) single-family residential lots. The project is proposed to be reviewed in two phases. Phase I represents the development of nine (9) single-family residential lots and one new cul de sac. Phase II represents the development of eight (8) single-family residential lots on an existing road. The applicant has received approval from RI Department of Environmental Management (RIDEM). Drainage is all set. A condition of approval is that no finished floors or basements shall be constructed at or below the seasonal high groundwater elevation. The sewer system will be maintained through a Home Owner's Association (HOA). The HOA agreement must be approved by the Town Solicitor. The developer must also provide a generator for the Rollingwood pump station as agreed to in negotiations with the Department of Public Works. Approval is needed from NBC and the Lincoln Water Commission (LWC). The TRC recommends that the**

wetlands buffer lines be monumented with granite bounds at 50' intervals. The TRC also recommends that all easements be monumented as well. The applicant has successfully addressed all of the Town's concerns and the TRC recommends approval with conditions. The TRC also recommends that final approval be delegated to the Administrative Officer.

Ms. Wiegand stated that a remediation bond is needed and will work it out with Mr. Ranaldi.

Mr. Kelly stated that the applicant is in agreement with the TRC report and is awaiting approval from the LWC.

Mr. Olean made a motion to approve the Preliminary Plan with conditions as recommended by the TRC. Ms. Hopkins seconded motion. Mr. Olean stated that he wanted it on the record that Phase II is not in front of the Board at this time and that this approval doesn't give any approval to Phase II. Motion passed unanimously.

Mr. Olean made a motion to delegate the remediation bond and final approval to the Administrative Officer. Ms. Hopkins seconded motion. Motion passed unanimously.

## **MAJOR LAND DEVELOPMENT REVIEW**

**Hearing – 7:15 pm**

**Polseno Properties Management, LLC    George Washington Hwy.  
Preliminary Land Dev. Plan**

**Discussion/Approval**

**Chairman Mancini explained the process for the public hearing. Mr. Ranaldi will discuss the development, the developer will make a presentation, the Planning Board can ask questions, and then the public may speak. The list of abutters was read – there were no abutters present.**

**Mr. Ranaldi stated that this is the commercial development of one lot consisting of approximately fifteen acres. The applicant received a Certificate of Completeness on June 19, 2006 and the Board has until October 17, 2006 to approve, approve with conditions, or deny. Mr. Ranaldi stated that he received acknowledgement from the Federal Aviation Administration (FAA) that the building would not interfere with the airport. A written agreement from the Smithfield and Lincoln Water Commission was also received. The applicant has also received a RIDEM permit and a RI Department of Transportation (RIDOT) permit. The applicant must appear before the Area of Planning Concern (APC). Chairman Mancini asked if the applicant had to appear before the APC before receiving Preliminary Plan approval and Mr. Ranaldi stated it didn't matter as one of the issues**

at the APC would be signage. Mr. Ranaldi stated that the applicant met all of the conditions of the TRC over the last week.

Mr. Polseno stated that the building will consist of 7500 sq. ft. of mixed office/retail space. There will be five units of 1500 sq. ft. each - one unit may be 3000 sq. ft. – so there will only be four units. This is Phase I of this development. At some point in time, the rear of the lot will be developed.

Mr. Curtis Ruotolo of Thalmann Engineering stated that all conditions have been met. Ms. Wiegand agreed that all issues have been addressed.

Mr. Olean asked if the utilities are adequate for future development and Mr. Ruotolo stated that the utilities are sized for future development.

Mr. Olean made a motion to close the public hearing. Ms. Hopkins seconded motion. Motion passed unanimously.

Chairman Mancini explained that usually the Board will listen to the concerns of abutters and issues raised during a public hearing and vote the next month. This hearing was cut and dry – all issues have been addressed.

Mr. Olean made a motion to approve Preliminary Plan with the

conditions that a remediation bond is set and that the applicant appears before the APC. Ms. Hopkins seconded motion. Mr. Olean asked the developer if he understood the APC and Mr. Polseno replied that he did. Mr. Ranaldi explained that the bond was needed for sedimentation and erosion control. This is a bigger project than a residential project so the bond amount will be higher. Mr. Ranaldi explained that the bond would be used to stabilize the site if the developer walked away from the project. Ms. Wiegand stated that once the site is stabilized and the basin is in, the bond would be released. Motion passed unanimously.

Mr. Olean made a motion to delegate Final Approval to the Administrative Officer. Ms. Hopkins seconded motion. Motion passed unanimously.

## **COMPREHENSIVE PERMIT**

a. Albion Place AP 32 Lot 44 Public Hearing – 7:30 pm

Albion Place, LLC Main Street Comprehensive Permit Review

Discussion/Approval

The list of abutters was read – there were no abutters present.

Mr. Ranaldi stated that this is a Comprehensive Permit and represents the development of an additional six (6) dwelling units, two (2) of which are proposed to be established as affordable



dwelling units. The proposed units will be added to the existing fifteen (15) units. The present zone BL 0.5 (Business Limited) does not permit multi-family residential uses either by right or by special use permit. RI Housing has given their approval for this project. Utilities are available – the applicant must contact the LWC and the Sewer Department to certify that additional water service and sewer capacity is available. A permit is required from NBC. Albion Fire Department must also approve the plans for fire suppression. Drainage plans include infiltration structures to capture roof runoff but no details were given on the plans. Soil evaluations must be performed in the proposed locations for the underground system. A traffic safety analysis report shows that there is significant sight distance in both directions. There is currently a vegetative buffer along the front of the property and the TRC recommends that understory vegetation be added to increase the buffer. There is also a section of pavement that jogs in – the TRC recommends straightening the area out and adding curbing to better define the entrance. Parallel parking is proposed along the northern side of the parcel – the TRC recommends that a wooden guard rail be installed along the property line to prevent cars from traveling down the sloped area. The TRC is confident that the applicant can address the above concerns. The Zoning Board may issue an opinion at the August 1 meeting in time for the August Planning Board Meeting.

Chairman Mancini asked if this project would be at the Preliminary Plan level and Mr. Ranaldi replied it would be at a combined

**Master/Preliminary Plan level depending on issues. Chairman Mancini asked if notices were sent via certified mail and Mr. Ranaldi replied that they were sent certified mail. Mr. Crowley asked if the zone would be changed by the Zoning Revisions and Mr. Ranaldi stated that they would not be changed. Ms. Wiegand stated that there is sewer capacity and everything is resolved on her end.**

**Peter Ruggiero represented Albion Place, LLC. Mr. Ruggiero stated that the Planning Board voted last month to combine Master and Preliminary Plan stages. They have reviewed the TRC report and are in agreement with the conditions. The existing building is L-shaped and contains 15 units. Two of the new units will be designated as affordable units for the next 30 years. The market rates units will be prices at \$240,000 and the affordable units at \$136,000. The applicant has spoken with residents and will present a petition next month. Chairman Mancini asked if they were prepared to present to the Zoning Board and Mr. Ruggiero replied that they were. Mr. Crowley asked if the two affordable units would be easily distinguishable from the others and Mr. Ruggiero stated that they would be indistinguishable – no crown molding, etc.**

**Mr. Olean made a motion to close the public hearing. Ms. Hopkins seconded motion. Motion passed unanimously.**

**Mr. Olean made a motion to table the matter until the August meeting as recommended by the TRC. Mr. Crowley seconded motion. The**

**Board is waiting for an opinion by the Zoning Board. Motion passed unanimously.**

**Mr. Olean made a motion to move item #9 up on agenda. Ms. Hopkins seconded motion. Mr. Ranaldi stated that item #9 was already approved and was on the agenda in error. Mr. Olean made a motion to delete #9 from the agenda. Ms. Hopkins seconded motion. Motion passed unanimously.**

**Mr. Olean made a motion to move #8 up on the agenda. Ms. Hopkins seconded motion. Motion passed unanimously.**

## **MAJOR LAND DEVELOPMENT**

### **a. A. G. Morrow Investment Building AP 28 Lot 135 Master Land Development Plan**

#### **A. G. Morrow Investment Co., LLC Wellington Road Discussion/Approval**

**Mr. Ranaldi stated that this is the commercial development of a vacant lot. Water is available. There is an issue with the loading docks as show on the site plan. The project needs to be reviewed by the APC to examine signage, lighting and landscape plans. The project abuts a residential neighborhood and the TRC recommends an evergreen buffer along the rear property line. The building will contain 17 commercial condo units.**

**Ms. Wiegand has reviewed the drainage report. Approval is needed from RIDEM for an Underground Injection Control (UIC) system and wetlands. There is adequate sight distance. The TRC recommends elevating the project to Preliminary Plan level and scheduling a public hearing in August or September.**

**Chairman Mancini stated that Master and Preliminary Plan stages would be combined. Ms. Wiegand stated that she witnessed test pits last winter.**

**Brian Thalmann of Thalmann Engineer stated that they have a registered landscape architect. There is an open space parcel owned by the Town to the east. All applications are in – they have already received the permit for the UIC system.**

**Mr. Olean made a motion to accept the TRC recommendation at Preliminary Plan level and schedule a public hearing in August. Ms. Hopkins seconded motion. Motion passed unanimously.**

## **MAJOR SUBDIVISION REVIEW**

- a. JCM Estates AP26 Lot 2 Public Informational Meeting - 8:00 pm**  
**JCM, LLC Jenckes Hill Road Master Plan Discussion/Approval**

**Chairman Mancini explained the process for the public hearing. Mr. Ranaldi will discuss the development, the developer will make a presentation, the Planning Board can ask questions, and then the public may speak. The list of abutters was read – there were two abutters present – Mr. Christopher Boys and the Lombardis.**

**Mr. Ranaldi stated that this is a subdivision of one lot into two residential lots. This project has taken a considerable travel route. The applicant originally requested several waivers – now they are requesting none. The TRC reviewed the application as submitted. Approval is needed from RIDEM for wetlands or a letter of non-jurisdiction. Due to the seasonal high groundwater in this area, no finished floors or basements shall be constructed at or below the seasonal high groundwater elevation. An Underground Injection Control (UIC) permit from RIDEM is required. A Physical Alteration Permit (PAP) from RIDOT is required. A sedimentation and erosion control plan is required. Although the applicant addressed the Subdivision Regulations, the TRC looked at the Town's Comprehensive Plan and based on the Comp Plan, the TRC feels that this project is not a good design. The project does not fit into the area and would have a negative impact to the neighborhood. The Town would have to service 200' of road for one house. The Comp Plan has goals to strive for; therefore, the TRC recommends denial.**

**Ms. Hopkins asked if the abutters' names were shown on the plan. Mr. Rosen explained how the list of lot owners is on the right side of**

**the plans.**

**Ms. Wiegand stated that the Town is not in favor of this project as the road acts as a private road.**

**Attorney Michael Kelly submitted a letter to the Board as well as a report from Edward Pimentel, a Planning Consultant. Mr. Kelly stated that the conditions cited by the TRC are not required at Master Plan level. All permits needed – UIC, PAP from RIDOT, and NBC are required at Preliminary Plan level.**

**Chairman Mancini stated that the Planning Board will not deny the plan on conditions at Preliminary Plan level at Master Plan.**

**Mr. Kelly stated that all conditions will be complied with at Preliminary Plan level. The road will service two houses – the existing house and the new house. The Zoning Board would not approve a frontage variance, so the applicant was forced to appear before the Planning Board. If the variance was approved, this would have alleviated all of the issues. The project is in compliance with the Subdivision Regulations. Mr. Kelly asked the Board not to vote tonight, as he would like a vote when the full Board is present.**

**Mr. Kelly asked Engineer Joshua Rosen if the project complied with all of the Subdivision Regulations and Mr. Rosen replied yes. Mr. Kelly asked Mr. Rosen if the plan meets setback requirements and Mr.**

**Rosen replied yes. Mr. Kelly asked if the conditions will be complied with at Preliminary Plan level and Mr. Rosen replied yes. Mr. Kelly asked if Mr. Rosen was in agreement that the road is required due to frontage requirements and Mr. Rosen replied yes.**

**Attorney Anthony Traini represented abutters Jason and Courtney Lombardi of 20 Morgan Court. Mr. Traini stated that the proposed road would run along the property line. A letter was submitted to the Board. The letter outlines the same issues as the TRC. If this road is allowed, it will create three roads surrounding the Lombardis' property devaluing their property and creating a safety issue. The project does not comply with the Town's Comprehensive Plan. He asked the Board to deny the Master Plan. He will submit his request in writing for next month's meeting.**

**Abutter Christopher Boys of 138 Jenckes Hill Road is opposed to the project for safety reasons. The Town should forbid any new roads off of Jenckes Hill Road within 2 miles of the new Middle School in either direction until the impact of the new school is known. To add another road on a curve is an egregious safety issue. He is vigorously opposed to this project.**

**Mr. Olean made a motion to close the public hearing. Ms. Hopkins seconded motion. Motion passed unanimously.**

**Mr. Olean made a motion to table the matter until next month. Ms. Hopkins seconded motion. Motion passed unanimously. Mr. Ranaldi**

**reminded the Board that a decision must be made next month.**

**d. Kirkbrae Ledges Subdivision – Phase 11 AP 32 Lot 45 Master Plan Discussion/**

**Kirkbrae Ledges, LLC Lancers Lane & Hemlock Road Approval**

**Paul Brule left the meeting at 8:30.**

**Mr. Ranaldi stated that this subdivision is at Master Plan level and is the subdivision of one lot into 13 single-family residential lots and is proposed to be reviewed in one phase. There will be 2 lots at the end of Hemlock Road and 11 lots off of an extension of Lancers Lane. The extension will have two new cul-de-sacs. The Master Plan submittal received a Certificate of Completeness on July 17, 2006 and the Board has until November 14, 2006 to approve, approve with conditions or deny. Mr. Ranaldi stated that the developer is requesting 11 waivers. Several offsite improvements that will benefit the Town and the State are proposed. There are pros and cons to the project – will the improvements offset the waivers? The TRC would like the Board to weigh the waivers against the offsite improvements and discuss moving forward in a positive direction. The applicant will detail the waivers requested. A report was submitted showing buildable lot area and slopes, wetland buffers, and drainage. RIDEM may say some lots can not be built.**

**Chairman Mancini stated that he read the TRC and did not see the**



specific waivers needed or improvements proposed. The Board is not playing “Let’s Make a Deal.” The Board will look at the subdivision, not the proposed improvements.

Mr. Kelly stated that the property runs along Route 295 off of the existing Kirkbrae Estates and near the rest area on Route 295. The subdivision was previously approved for 16 lots in the 1990’s. A Master Plan extension was denied. The State of Rhode Island and RI Department of Environmental Management is seeking an easement through the property to allow installation of utilities to serve the rest area. A third water line for the Town to service the northern part of the Town will be installed. Mr. Faile of the Lincoln Water Commission is in support of the utility easement and an easement will be given to the LWC at no charge. The applicant is seeking waivers on topography, conditions and layout of lots. Lots #1-10 need waivers for buildable lot area. Drainage is based on rough plan as it is not required at Master Plan stage. A waiver is also requested for the 820’ cul-de-sac. They are seeking guidance on the waivers. John Shevlin from Pare Engineering is present to answer questions. The benefits to both the Town and the State should be taken into consideration.

Mr. Olean asked if the hammerhead lots needed a waiver and Mr. Kelly replied that a hammerhead is the same as a cul-de-sac. Mr. Olean stated that the TRC states that a cul-de-sac is required. Mr. Kelly replied if a hammerhead is considered a waiver, then yes, a waiver is required for the hammerhead. Mr. Olean then stated that the

applicant is seeking waivers on ten lots, the length of the cul-de-sac and the hammerhead.

Mr. Kelly stated that RIDEM will have a lot to say about the proposed project. He does not think that RIDEM will approve 13 lots.

Chairman Mancini asked how many lots would have to be given up to decrease the number of waivers. He would not want to go forward to public informational meeting at Master Plan stage with 13-14 waivers being requested. He feels that the project should be reconfigured and the number of lots reduced if so many waivers are needed. Mr. Crowley asked if asking for 10 waivers was the same as asking for more density and Chairman Mancini replied no. Mr. Ranaldi explained that the Subdivision Regulations incorporated the definition of buildable lot area to be high and dry land and must equal zone. If a house is wedged in between wetlands and slopes, the resident is limited.

Mr. Ranaldi stated that drainage would be a concern. He would rather see one or two large detention basins than five or six smaller ones. Mr. Olean stated that the 13 lot subdivision required 10 waivers – 75% of the development. He is also concerned with detention ponds on two lots. Mr. Ranaldi stated that the detention ponds must be on one lot. Mr. Olean stated that the Board has never approved a subdivision with a basin on two lots.

**Mr. Shevlin of Pare Engineering stated that drainage plans are not done at Master Plan level. The drainage can be designed so that there is no increase in runoff from site.**

**Chairman Mancini stated that he would like to see the developer succeed and that a reconfiguration of the project might have an impact. Mr. Crowley asked if a waiver of 100' for the cul-de-sac would be an issue for the fire department and Mr. Ranaldi replied no.**

**Chairman Mancini suggested taking a relook at this subdivision.**

**Mr. Kelly stated that the waiver issue is significant – they are not being confrontational, but the reason they are asking for waivers is that the extension on the previous Master Plan approval was denied wrongfully.**

**Chairman Mancini asked Mr. Kelly if he thought that what happened in the past would have an impact on this Board and Mr. Kelly replied that there was evidence that one or more Planning Board members denied an extension.**

**Chairman Mancini stated that even if the members who denied the extension were his brothers, he would not treat the developer any differently than they are being treated now. The Board tries to be fair – every developer/homeowner has every right to develop their land. There should be some considerations depending on the land being**

**developed. The Board looks at each development individually. He does not feel comfortable approving 12-13 waivers – waivers should be adjusted and minimized.**

**Mr. Kelly agreed that some waivers could be eliminated with a reconfiguration.**

**Mr. Olean made a motion to table the matter until August. Ms. Hopkins seconded motion. Motion passed unanimously.**

**There being no further business to discuss, on a motion made by Ms. Hopkins and seconded by Mr. Olean, it was unanimously voted to adjourn. Meeting adjourned at 9:00 p.m.**

**Respectfully submitted,**

**Margaret Weigner**

**Attached July TRC Report:**

**On July 18, 2006 at 2:00 pm, the Technical Review Committee met to review the agenda items for the July 26, 2006 Planning Board**

meeting. In attendance were Al Ranaldi, Russell Hervieux, Kim Wiegand, John Faile, Peggy Weigner and Diane Hopkins. Below are the Committee's recommendations:

## **Major Land Development Review**

### **a. Lincoln Ridge Business Park AP 41 Lot 58 Public Hearing – 7:15 PM**

**Polseno Properties Management, LLC George Washington Hwy Preliminary Land Development  
Plan Discussion / Approval**

**This application is under the 2005 Subdivision Regulations and represents the commercial development of a single lot containing approximately 15 acres. This project is in front of the Planning Board for a Preliminary Plan Land Development Review. On June 19, 2006, the Preliminary Plan submittal for the above noted project received a Certificate of Completeness. According to our Subdivision Regulations, the Planning Board shall, within one hundred twenty (120) days of certification of completeness, or within such further time as may be consented to by the applicant, approve the master plan as submitted, approve with changes and/or conditions, or deny the applicant, according to the requirements of Section 8. A decision on the Preliminary Plan review must be made by October 17, 2006 or within such further time as may be consented to by the applicant.**

**The Technical Review Committee and the Engineering Division have**

reviewed the above proposed project according to the 2005 Land Development and Subdivision Regulations master plan requirements and standard engineering practices. The plans reviewed were entitled “Preliminary Design Plans- Phase I Lincoln Ridge Business Park, AP 41 Lot 58”, Lincoln, Rhode Island, sheets 1-8, prepared for Polseno Properties Management, LLC by Thalmann Engineering Co., Inc., dated November 2005 and revised on March 2006 and April 2006.

Additional information received includes:

1. “Traffic Impact Study, Route 116 Commercial Development, prepared for Thalmann Engineering Co., Inc., prepared by RAB Professional Engineers, Inc. November 2005,
2. Drainage Report & Calculations, Lincoln Ridge Business Park, George Washington Highway, AP 41 Lot 58, Lincoln prepared for Polseno Properties Management, LLC by Thalmann Engineering Co., Inc., dated December 8, 2005,
3. Lincoln Ridge Business Park- Phase I, Major Land Development, George Washington Highway AP 41 Lot 58, Master Plan-Development Impact Narrative, dated December 8, 2005
4. Stamped plan by RIDEM Freshwater Wetlands Program, Lincoln Ridge Business Park, George Washington Highway, AP 41 Lot 58, Lincoln prepared for Polseno Properties Management, LLC by Thalmann Engineering Co., Inc., dated May 22, 2006.

The application was reviewed by the Technical Review Committee and the Planning Board during the Master Plan stage and it was determined that public water would be available from the Town of

**Smithfield. The applicant has verbally assured the Town of Lincoln that the Lincoln Water Commission and the Smithfield Water Commission have approved the applicant's connection plans from Smithfield. The TRC would require a written acknowledgement of this agreement as a condition of Preliminary Plan approval. The project has been reviewed and signed off by the Albion Fire District.**

**Based on the above review of this project, the TRC feels that this project successfully meets all of the requirements of the Town's Subdivision Regulations. If no concerns are presented during the Public Hearing, the TRC recommends Approval with Conditions. The conditions are that a written acknowledgement of the public water connection be submitted to the Town and the project must be reviewed by the Area of Planning Concern and successfully address any design concerns that the Committee may have. The TRC also recommends that the final plan be delegated to the administrative officer.**

### **Comprehensive Permit**

#### **a. Albion Place AP 32 Lot 44 Public Hearing – 7:30 PM**

**- Albion Place LLC Main Street Comprehensive Permit Review  
Discussion / Approval**

**This application is to be reviewed under RIGL 45-53 as amended, the Lincoln Comprehensive Plan, Lincoln Affordable Housing Production Plan and the recently amended Town ordinance entitled “An Ordinance Establishing an Application and Administrative**

**Procedures for Filing a Comprehensive Permit in Accordance with the State of Rhode Island Low and Moderate Income Housing Act – RI General Law 45-53”.**

**This application represents the development of an additional six (6) dwelling units, two (2) of which are proposed to be established as affordable dwelling units. The proposed units will be added to the existing sixteen (16) unit condominium structure on three floor levels with associated off-street parking. The proposed project will meet all existing dimensional and parking requirements. The present zoning district of BL-0.5 (Business Limited) however does not permit multi-family residential uses either by right or by special use permit. If the applicant applied for relief of this requirement under the existing zoning regulations, a use variance would be required in order to develop this project.**

**On June 19, 2006, the application received a Certificate of Completion. According to RI General Law 45-53-4 Section IV, the local review board shall hold a public hearing on the master plan and shall, within one hundred and twenty (120) days of the issuance of the certificate of completeness, or within such further amount of time as may be agreed to by the local review board and the applicant, render a decision. Therefore, the Planning Board shall render a decision by October 17, 2006. This application is in front of the Planning Board for a public hearing. The Zoning Board will review the application during their regularly scheduled August meeting. Below is a recap of the TRC recommendations.**

**The Technical Review Committee and the Engineering Division have**



reviewed the above proposed project according to RIGL 45-53 as amended, the Lincoln Comprehensive Plan, Lincoln Affordable Housing Production Plan and the recently amended Town ordinance entitled “An Ordinance Establishing an Application and Administrative Procedures for Filing a Comprehensive Permit in Accordance with the State of Rhode Island Low and Moderate Income Housing Act – RI General Law 45-53”, the 2005 Land Development and Subdivision Regulations master plan submission standards and requirements and standard engineering practices. The submission includes a set of five sheets entitled “Albion Place Condominium”, AP 32 Lot 44, Lincoln, Rhode Island, prepared for the applicant, Albion Place LLC, by Waterman Engineering Co., dated June 2006. Included as well in the submission is a Drainage Report prepared by the above consultants for the applicant, dated June 2006 and a Traffic Safety Assessment prepared by RAB Professional Engineers, Inc. dated June 12, 2006 for Waterman Engineering. Based on the TRC review of the submitted plans and report and the above noted State law and Town ordinances, the following concerns are presented below.

## **Utilities**

The existing building is currently supplied with public water. The applicant must contact the Lincoln Water Commission (LWC) regarding service to the development. The LWC must certify that additional water service is available. The LWC’s approval must be a condition of approval for development. The Albion Fire Department

**must approve the development plan for fire suppression.**

**The existing building is currently connected to public sewers. The applicant must also request positive availability of public sewers from the Town of Lincoln Sewer Division. The applicant is required to apply to Narragansett Bay Commission for approval of the additional sanitary sewer discharge. The plans must show existing and proposed connections to the public sewer. The developer is responsible for any improvements to the sanitary sewer line or connections, if required by the Sewer Division.**

### **Drainage**

**All proposed new development is required to mitigate peak runoff using onsite infiltration structures to capture roof runoff. Although this mitigation is mentioned in the drainage report, no calculations were given and no structures were shown on the plans. The applicant will need to perform soil evaluations in the proposed locations for the underground systems and design the structures to mitigate water quantity increases for storms up to the 25 year frequency. Plans and details of the infiltration structures are required to be shown on the plans. The property owners will be responsible for the operation and maintenance of the infiltration system and the storm drainage system on the site.**

### **Traffic**

**The Traffic Safety Assessment analyzed sight distance, traffic volumes and road safety. The assessment states that requirements**

for sight distance are met in both directions from the access to the property. According to the assessment, the traffic volume differential is insignificant. There did not appear to be any major road alignment conditions impairing road safety. However, the variable road width in the area of the project is a concern. The TRC recommends eliminating some of the asphalt to make a consistent edge in front of the property. Also, the TRC recommends that in order to better define and stabilize the entrance to the property, curbing should be installed on the radius and/or along some of the frontage. Alternatively, just the radius could be curbed and the shoulder/ pavement edge stabilized with riprap.

## **Site Plan**

Members of the Technical Review Committee visited the site and reviewed the submitted project plans and application. The property has existing vegetative screening along Main Street which helps reduce the visual impact of the existing building. The TRC recommends that additional under story planting be added to the existing screening to further reduce the visual impact of the building. The project proposes to add parallel parking along the northern side of the parcel. This area is next to a steep slope. The TRC recommends that a wooden guard rail be installed along the property line in order to prevent cars from traveling down the sloped area.

The TRC feels that the applicant should incorporate any further concerns the public and the Board may have about this project and

**return next month for review during the next regularly scheduled Planning Board meeting in August.**

### **Major Subdivision Review**

- a. JCM Estates AP 26 Lot 2 Public Informational Meeting – 8:00 PM**
  - JCM, LLC Jenckes Hill Road Master Plan Discussion / Approval**

**This application is under the 2005 Subdivision Regulations and represents the subdivision of one lot into two residential lots. The proposed project is classified as a Major Subdivision due to the project's request for several subdivision regulation waivers. On May 11, 2006, the Master Plan submittal for the above noted project received a Certificate of Completeness. According to our Subdivision Regulations, the Planning Board shall, within one hundred twenty (120) days of certification of completeness, or within such further time as may be consented to by the applicant, approve the master plan as submitted, approve with changes and /or conditions, or deny the applicant, according to the requirements of Section 8. A decision on the Master Plan must be made by September 8, 2006 or within such further time as may be consented to by the applicant.**

**The Technical Review Committee and the Engineering Division have reviewed the above proposed subdivision according to the Land Development and Subdivision Regulations preliminary plan submission standards and requirements and standard engineering practices. The submission includes a plan entitled "Master Plan**

**Submission for JCM Estates Major Subdivision,” on Jenckes Hill Road AP 26 Lot 2, in Lincoln, Rhode Island, prepared for JCM, LLC by Commonwealth Engineers & Consultants, dated December 2005, revision date July 12, 2006. Other information received included a letter of water service availability from the Lincoln Water Commission dated July 11, 2006. The applicant had previously submitted an “Environmental and Community Impact Report” prepared by the above engineer dated December 2005, a letter from Natural Resource Services, Inc. dated April 30, 2004 and a letter from Ecotones, Inc dated May 23, 2005 for the above project. Below are the TRC recommendations for this project.**

#### **Wetlands/ Drainage**

**Natural Resource Services, Inc. performed a wetlands delineation for the project area. According to their letter, there are no RIDEM jurisdictional wetlands located on site. This is not the same as a verification of wetlands from RIDEM. A letter of non-jurisdiction or an approved permit from RIDEM is required as a condition of the subdivision approval.**

**Per the Town ordinance, a sedimentation and erosion control plan must be submitted and approved before any construction or earth disturbance is performed on site. Due to the known seasonal high groundwater in this area, a condition of any approval must include the specification that no finished floors or basements shall be constructed at or below the seasonal high groundwater elevation, as located by a certified soil evaluator. A certified seasonal high**

groundwater elevation must be established prior to the release of any building permit. Drainage from the roadway is proposed to be infiltrated into the ground through an underground system. An Underground Injection Control permit from RIDEM is required as a condition of the subdivision approval. In addition, roof drainage is proposed to be directed to an underground infiltration unit. This property is at a low point on Jenckes Hill Road. Storm water runoff from the road is designed to flow into an existing storm drain in the Jenckes Hill Road right of way by way of a culvert under the proposed road. The drainage infrastructure in the State road must be included in the Physical Alteration Permit.

## **Utilities**

The new lot is shown to be connected to public water and sewer; the existing house is already served by these public utilities. According to a letter dated July 11, 2006 from the Lincoln Water Commission, public water is available and the proposed water service for the new lot, per a July 7, 2006 revised plan, is acceptable. Sanitary sewer service is already available to AP 26 Lot 2, for the existing house on the lot. In response to a letter from the engineers and a drawing dated July 6, 2006, the sewer supervisor has determined that the design for the sewer is not acceptable. An eight inch line is required in the street, not a six inch line. The developer would also be required to obtain a permit from Narragansett Bay Commission for the additional connection to the public sewer as a condition of this subdivision.

## **Site Plan/ Traffic**

**Jenckes Hill Road is a State road and requires a Physical Alteration Permit from RIDOT for any new access or new land use as well as the construction of drainage infrastructure in the State right of way. A permit must be obtained as a condition of this subdivision. The regulations require sidewalks. One side of the proposed road indicates a ten foot wide sidewalk. This is not the standard width. A standard width sidewalk is required.**

## **Consistency with the Comprehensive Plan and Land Development and Subdivision Regulations**

**The Technical Review Committee feels that the project is inconsistent with the Lincoln Comprehensive Plan. The general and town wide goals, objectives and policies presented in the Comprehensive Plan have created the basis for the development and establishment of the Town's Land Development and Subdivision Regulations (the Regulations). As presented in the Land Use element of the Comprehensive Plan, the Town of Lincoln has been successful at managing its land use development by following the Comprehensive Plan and the Zoning and Subdivision Regulations. The 2003 Comprehensive Plan Update points out that the pressure to deviate from these plans will become greater as the amount of available vacant land decreases. This project is a clear indication of the pressures the Town will be confronted with in the future (2003 Comprehensive Plan – Land Use Element).**

**Within Section 1 of the Subdivision Regulations, the general**

**purposes of the regulations are presented. The regulations were developed and are maintained in accordance with RIGL 45-23 and the Lincoln Comprehensive Plan (which complies with RIGL 45.22.2) and the Lincoln Zoning Ordinance (which complies with RIGL 45.24-27 et seq.). The TRC reviewed the purposes that the regulations are intended to address and feel that this project does not promote or address several of these purposes. Specifically, the TRC feels that this project does not promote or address subdivision purposes number 2 – 5 (2005 Land Development and Subdivision Regulations, page 3).**

- Purpose (2) - Promote high quality and appropriate design and construction of land development and subdivision - The project “does not promote high quality and appropriate design and construction of land development and subdivision”. It is not appropriate to accept the maintenance for a public road constructed for the sole purpose of creating one new house lot.**

- Purpose (4) - Promote design of land development and subdivisions that are well integrated with the surrounding neighborhoods with regard to natural and built features, and which concentrate development in areas which can allow the best support for the appropriate uses by reason of natural characteristics and existing infrastructure - The project does not “encourage local design and improvement standards to reflect the intent of with regard to the physical character of the various neighborhoods and districts of the Town”. Limerock village is an area where the Town “seeks ways to use less land” for development.**



- **Purpose (5) - Encourage local design and improvement standards to reflect the intent of the Lincoln Comprehensive Plan with regard to the physical character of the various neighborhoods and districts of the town – The project does not “Encourage local design and improvement standards to reflect the intent of the Lincoln Comprehensive Plan with regard to the physical character of the various neighborhoods and districts of the town”. The project is for the development of one road for one new house and one existing house. Limerock village is made up of neighborhoods. This project does not represent a neighborhood.**

**The Lincoln Comprehensive Plan states that the Lincoln Land Development and Subdivision Regulations (the Regulations) must be followed. In the Regulations, Section 1 relates the purposes for the regulations. Specifically the following purpose is not positively addressed:**

- **The project “does not promote high quality and appropriate design and construction of land development and subdivision”. It is not appropriate to accept the maintenance for a public road constructed for the sole purpose of creating one new house lot.**

**While the applicant has successfully met all of the Land Development and Subdivision Regulations, the Technical Review Committee feels that the project does not meet the goals and objectives of the Comprehensive Plan. Therefore, the Technical Review Committee recommends that this Master Plan application be denied.**

**b. Marcoux / Gilmore Subdivision AP 15 Lot 47 Preliminary Plan Discussion /**

**- Kevin Marcoux    Reservoir Avenue Approval**

**This application is under the 2005 Subdivision Regulations and represents the subdivision of one lot into two residential lots. The proposed project is classified as a Major Subdivision due to the project's request for one subdivision regulation waiver of the 2 ½ : 1 lot to width ratio. On April 25, 2006, the Preliminary Plan submittal for the above noted project received a Certificate of Completeness. According to our Subdivision Regulations, the Planning Board shall, within one hundred twenty (120) days of certification of completeness, or within such further time as may be consented to by the applicant, approve the preliminary plan as submitted, approve with changes and /or conditions, or deny the applicant, according to the requirements of Section 8. A decision on the Preliminary Plan must be made by August 23, 2006 or within such further time as may be consented to by the applicant. During the May 24, 2006 Planning Board meeting, the Board voted to elevate this project to the preliminary plan stage. A public hearing was held on June 28, 2006. Below are the TRC recommendations for this project.**

**The Technical Review Committee and the Engineering Division have reviewed the above proposed subdivision according to the 2005 Land Development and Subdivision Regulations preliminary plan submission standards and requirements and standard engineering**

practices. The submission includes a set of plans entitled "Preliminary Plan" and "Record Plan" AP 15 Lot 47, Reservoir Avenue in Lincoln, Rhode Island, prepared for Kevin Marcoux by Marsh Surveying Inc., dated April 20, 2006. Other information received included a photograph of the driveway opening and notification of sewer availability from the sewer supervisor.

### **Wetlands/ Drainage**

No wetlands appear to be present on the property and none were located by the surveyor, as noted on the plan. The drainage on Reservoir Avenue has existing problems. In order to prevent any adverse impact to the existing properties and the road, the Engineering Division recommends that the new house must have onsite drainage attenuation such as dry wells to capture the roof runoff as a condition of any approval. The subdivision plan shows a proposed dry well. Building plans will need to show the manufacturer's installation specifications and detail. A condition of any approval should also include the specification that no finished floors or basements shall be constructed at or below the seasonal high groundwater elevation, as located by a certified soil evaluator. The Town Engineer witnessed test pits on site. It was determined that a slab on grade foundation would be required for the future house.

### **Erosion controls**

Per the Town ordinance, a sedimentation and erosion control plan

**must be submitted and approved before any construction or earth disturbance is performed on site. Any construction entrances will also need to have stone construction pad, unless the existing asphalt driveways are used as entrances.**

### **Utilities**

**The new lot is proposed to be connected to public water and sewer. The sewer supervisor has stated that public sewers are available. The applicant must obtain a permit from Narragansett Bay Commission for sewer discharge as a condition of approval. The applicant has applied for approval for water service to the proposed new lot from the Lincoln Water Commission (LWC). According to the Lincoln Water Commissioner, public water is available in the area but not directly in front of the proposed lot. The applicant would have to extend the existing water line down to the new lot. This option may not be economical. A private well is also an option. As a condition of approval, the applicant will have to demonstrate that drinking water is available before a building permit can be issued.**

### **Subdivision Waiver**

**As noted above, the proposed subdivision would require a waiver of the subdivision regulation of the 2 ½ : 1 lot to width ratio. The TRC reviewed this request and determined that the request is due to existing physical constraints of the lot. Currently, the lot contains a large amount of ledge within the front portion of the site. The application contains a photograph of the existing ledge outcropping.**

**The proposed design represents a realistic solution to this constraint. The applicant could eliminate the waiver but significant ledge would have to be removed and the existing driveway would have to be reconfigured. The TRC feels that the proposed design and requested waiver is realistic and represents good land development. Therefore, the TRC recommends that the waiver be approved.**

### **Record plan**

**Granite bounds must be shown on the final plan marking the location of the new property corners. The issue of the abutter's fence located on the property must be resolved by the owner.**

**Based on the above noted minor concerns, the TRC feels that the application fulfills the requirements of a preliminary plan submission.**

**There were no significant changes or concerns brought out at the public hearing. Therefore, the TRC recommends Approval with Conditions for this project. The TRC also recommends that the final plan be delegated to the administrative officer.**

### **c. Sables Road Subdivision – Phase 1 AP 44 Lot 33 Preliminary Plan Discussion /**

**- Leslie W. Sables Angell and Whipple Road Approval**

**This application is under the 2005 Subdivision Regulations and represents the subdivision of one lot into 17 single-family residential lots. The project is proposed to be reviewed in two phases. Phase**

one represents the development of 9 single-family residential lots and one new cul-de-sac. Phase two presents the development of 8 single-family residential lots. On April 26, 2006, the Preliminary Plan submittal for the above noted project received a Certificate of Completeness. According to our Subdivision Regulations, the Planning Board shall, within one hundred twenty (120) days of certification of completeness, or within such further time as may be consented to by the applicant, approve the master plan as submitted, approve with changes and /or conditions, or deny the applicant, according to the requirements of Section 8. A decision on the Phase one of the Preliminary Plan must be made by August 24, 2006 or within such further time as may be consented to by the applicant. A public hearing was held on June 28, 2006. Below are the TRC recommendations for this project.

The Technical Review Committee and the Engineering Division have reviewed the proposed development according to the Lincoln Land Development and Subdivision Regulations preliminary plan submission standards and requirements and standard engineering practices. The latest submission included a set of 21 sheets entitled "Preliminary Plan Submission for Phase I, Sables Road Subdivision", Lincoln Rhode Island, AP 44 Lot 33, prepared for Leslie W. Sables by Commonwealth Engineers & Consultants, Inc., dated May 5, 2006. Additional material received includes a report entitled "Stormwater Management Analysis" revision date October 28, 2005 prepared by the above consultant for the above applicant. Soil evaluation logs performed by a certified soil evaluator were previously reviewed.

## **Wetlands**

**The proposed subdivision requires an approval from Department of Environmental Management (RIDEM) Wetlands. The Town sent a letter in December 2005 to RIDEM Wetlands notifying them that the developer has the authorization from the Town to include improvements to East Lantern Road and Lantern Road in Lincoln as a part of their application. According to the applicant's consultant, the permit application is pending. A RIDEM Wetlands permit that includes both Phases 1 and 2 is required as a condition of approval.**

## **Drainage**

**There are existing drainage problems and seasonal high groundwater in the area of the project. The Town has reviewed the drainage report for the proposed development. The two detention basins and the drainage collection system have been sized and located so as to mitigate storm water flow from the site. Phase 2 must show the swale in front of the proposed lots on East Lantern Road to be maintained by the individual property owners as a restriction on their deeds.**

## **Groundwater**

**Groundwater is a significant problem in this area. No form of subdrains will be allowed to drain onto the road or abutting properties. The Town Engineer did not witness the excavations; however, the engineer submitted information from a certified soil evaluator for test pits in the locations of the two proposed detention**

basins and other locations. The bottom of the two detention basins appears to be set above the seasonal high ground water elevation. A condition of any approval must also include the specification that no finished floors or basements shall be constructed at or below the seasonal high groundwater elevation.

### **Sanitary Sewers**

The design as well as the ownership, maintenance and operation of the proposed pumping station will be through a private homeownership association. The TRC and the Town have reviewed this option and consider this arrangement to be acceptable. The association agreement must be approved by the Town solicitor as a condition for approval. The design and specifications for the pump station must be approved by the Department of Public Works. The force main and gravity sewers in the public road and utility easements are proposed to be owned and maintained by the homeowners association and accessible to the Town in case of an emergency. The developer must also provide a generator for the Rollingwood pump station, as agreed in discussions May 2006 between the Department of Public Works, the applicant and his attorney, as a part of mitigating the impact to the existing area's collection system. This item is included in Phase 1. Preliminary approval will require approval from Narragansett Bay Commission for sewer discharges as a condition of approval.

### **Public Water Service**



**The developer stated that he has negotiated an acceptable waterline design with the Lincoln Water Commission (LWC). The homeowners association will be responsible for the water lines within the development. The Town has not yet received any written approval for the project from the LWC. A written approval from the LWC is required as a condition of approval.**

### **Cemetery**

**It appears that only filling, not excavating is proposed within 25 feet of the existing cemetery. The owner of the cemetery should be determined, if possible, or easements associated with it. Access to the cemetery has been provided from the proposed cul de sac.**

### **Traffic**

**Phase 2 must show the off site road improvements to Lantern and East Lantern Roads and an easement to provide adequate sight distance for vehicles turning the corner on Lantern Road at East Lantern Road, as specified in the master plan approval. The easement must describe the property owners' and the Town's responsibilities.**

### **Site Design/Plan**

**All proposed housing lots have been adjusted to have the minimum buildable area. As a condition of approval, the TRC recommends that the wetlands buffer line on Lots be monumented with granite bounds at 50' intervals or as reasonably presented. The TRC recommends**

**that all proposed easements be monumented as well.**

**Based on the above noted minor concerns, the TRC feels that the application fulfills the requirements of a preliminary plan submission.**

**There was no significant changes or concerns brought out at the public hearing. Therefore, the TRC recommends Approval with Conditions for this project. The TRC also recommends that the final plan be delegated to the administrative officer.**

**d. Kirkbrae Ledges Subdivision – Phase 11 AP 32 Lot 33 Master Plan Discussion**

**- Kirkbrae Ledges, LLC Lancers Lane and Hemlock Road Approval**

**This application is under the 2005 Subdivision Regulations and represents the subdivision of one lot into 13 single-family residential lots. The project is proposed to be reviewed in one phase. Two house lots are proposed to be developed at the end of Hemlock Road.**

**Eleven houses are proposed to be developed off of an extension of Lancers Lane. This extension will have two new cul-de-sacs. On July 17, 2006, the Master Plan submittal for the above noted project received a Certificate of Completeness. According to our Subdivision Regulations, the Planning Board shall, within one hundred twenty (120) days of certification of completeness, or within such further time as may be consented to by the applicant, approve the master plan as submitted, approve with changes and /or conditions, or deny**

**the applicant, according to the requirements of Section 8. A decision on the Master Plan must be made by November 14, 2006 or within such further time as may be consented to by the applicant. Below are the TRC recommendations for this project.**

**The Technical Review Committee and the Engineering Division have reviewed the above proposed subdivision according to the Land Development and Subdivision Regulations master plan submission standards and requirements and standard engineering practices. The submission includes a plan entitled “Kirkbrae Ledges Subdivision, Phase 11”, AP 32, Lot 45, in Lincoln, Rhode Island, prepared for Kirkbrae Ledges LLC by Pare Engineering Corp., dated June 2006. Also received was a document entitled “Master Plan Report Kirkbrae Ledges Subdivision- Phase 11” prepared for the above applicant by the above engineers dated June 2006. Below are the TRC concerns.**

### **Site Plan**

**The following are required to be consistent with the subdivision regulations. Any waivers from these standards must be noted by the applicant.**

- Buildable area. The buildable area for each lot must be calculated. The buildable area is that area remaining after wetlands, steep slopes and other physical constraints, such as easements are excluded.**
- The maximum allowed road is 720 feet long for this zone. The southwestern most cul de sac off Lancers Lane is greater than 720 feet.**
- Dead ended roads. The proposed extension of Hemlock Drive is**

shown as a “hammerhead”; cul de sacs are required. The standard cul de sac is a radius 40 feet, not 45 feet.

- All drainage facilities outside of the public right of way must be shown within easements on individual lots.

## **Groundwater**

A certified soil evaluator estimated the seasonal high ground water elevations at various locations on the property. The Town Engineer witnessed the excavation of test pits. This data is not shown on the plans. In general, the seasonal high ground water elevations are within a few feet of the surface. Because of existing drainage problems in the area and the lack of any alternative drainage site for ground water brought to the surface, it is recommended that a condition of approval for the subdivision be that finished floors or basements must be set above the seasonal high ground water elevation. In addition, for the same reason, it is recommended that no detention basins be constructed into the elevation of the seasonal high ground water.

## **Wetlands**

The proposed subdivision must obtain a RIDEM Wetlands Preliminary Determination permit as a condition of approval for subdivision. Riverbanks are excluded from the buildable lot area. The houses proposed off Hemlock Drive are located entirely in riverbank wetlands. The TRC does not recommend construction in this area. In addition, no mitigation of stormwater runoff is proposed for the road

**extension or this part of the development. Stormwater mitigation is required for all new development.**

## **Utilities**

**The plan shows public water and sewer connections to the proposed lots. Gravity sewers are proposed. Written conformation of the availability of public sewers and the ability of the receiving pump station to accommodate the addition flow must be submitted. The Lincoln Water Commission (LWC) has communicated to the Town that public water service is available to this project. The water line is proposed to be looped through an easement to meet LWC requirements.**

## **Drainage**

**The Town has observed severe, existing drainage problems over the years in this area. Drainage design for the subdivision must include no increase of stormwater peak rate of flow or volume from the subdivision onto the properties on Kirkbrae or Timberland Drives, Lancers Lane or into the wetlands connected to the brook that flows under Timberland Drive. This is recommended so as not to exacerbate existing drainage problems in the Kirkbrae neighborhood.**

**The TRC also expressed concern about the proposed drainage design. The TRC would like to see consolidated detention ponds. Single detention ponds should be on one lot, not shared between lots. Open drainage swales across private properties, particularly immediately across narrow front lawns are not recommended for**

**health and safety reasons.**

**As presented above, the Technical Review Committee wrestled with the number of subdivision waivers required by this project. This concern was expressed to the developer. He in turn presented several noteworthy off site improvements he will do in coordination with this subdivision. At this time, the TRC recommends to the Planning Board that they weigh the number of waivers against the proposed off site improvements and discuss the likelihood of this project moving ahead to a successful outcome with the developer.**

#### **Major Land Development Review**

##### **a. A. G. Morrow Investment Building AP 28 Lot 135 Master Land Development Plan**

##### **- A. G. Morrow Investment Co., LLC Wellington Road Discussion / Approval**

**This application is under the 2005 Subdivision Regulations and represents the development of one vacant commercial parcel of land. The proposed project is to develop a 21,164 square foot commercial building with associated parking. This development will be serviced by public water and sewers. On July 17, 2006, the Master Plan submittal for the above noted project received a Certificate of Completeness. According to our Subdivision Regulations, the Planning Board shall, within one hundred twenty (120) days of certification of completeness, or within such further time as may be**

consented to by the applicant, approve the master plan as submitted, approve with changes and /or conditions, or deny the applicant, according to the requirements of Section 8. A decision on the Master Plan must be made by November 14, 2006 or within such further time as may be consented to by the applicant. Below are the TRC recommendations for this project.

The Technical Review Committee and the Engineering Division reviewed the above proposed development according to the Land Development and Subdivision Regulations master plan submission standards and requirements and standard engineering practices. The submission includes a set of plans entitled "Proposed Industrial Building", AP 28 Lot 135, North Central Industrial Air Park, Wellington Road, Lincoln, Rhode Island, prepared for the applicant A.G. Morrow Investment Co. by Thalmann Engineering Co., Inc., dated May 2006. Included as well in the submission is a Drainage Report & Calculations prepared by the above consultants for applicant, dated June 1, 2006. Below are the TRC concerns.

### **Site Plan**

The site plan shows loading docks but does not have the grades to make the docks possible. According to the engineer, no loading docks are planned; the architectural plans should be revised to show this change. This commercial project is required to be reviewed by the Area of Planning Concern Committee. This committee will examine items such as proposed signage, evergreen buffer along the back property line which abuts a residential neighborhood, and

**lighting.**

## **Utilities**

**The applicant must contact the Lincoln Water Commission (LWC) regarding service to the development. The LWC must certify that water service is available. The Lincoln Water Commission (LWC) must approve the water service. Preliminary Plan approval will be contingent on receipt of a letter from the LWC stating that there is sufficient public water for the project and that the plans are acceptable. The Limerock Fire Department must approve the development's water supply service for fire suppression. The project must obtain approval from the Narragansett Bay Commission for sanitary sewer discharge.**

## **Drainage**

**The site drains generally northeast into existing wetlands. It is proposed to mitigate peak runoff in an onsite retention basin as well as through an infiltration system. The drainage plans route existing drainage from the upgradient site around the proposed development. The applicant will be responsible for the operation and maintenance of the storm drainage system which includes the basin and the infiltration system on the site. The development will require an Underground Injection Control permit from RIDEM.**

## **Wetlands**

**The development will require approval from RIDEM Wetlands.**



## **Traffic**

**The development requires a letter from a professional engineering stating that there is adequate sight distance at the location of the proposed entrance to the site.**

**Based on the minor concerns presented above, the Technical Review Committee recommends that this commercial development be elevated to the Preliminary Plan stage and a Public Hearing be held during the regularly scheduled August meeting.**

## **Zoning Applications (\*) - August Zoning Applications**

**Michael Joinville, 100 Church Street, Manville, RI – Dimensional Variance for front yard setback to rebuild porches.**

**AP 37, Lot 177 Zoned: RG 7**

**Members of the Technical Review Committee visited the site and reviewed the submitted plans and application. The TRC recommends Denial of the application for a dimensional variance. The Committee feels that the application does not meet any of the standards for relief of a dimensional variance as presented in the Zoning Ordinance. More specifically, the TRC feels that the porches appear to be enclosed living rooms. If this is the case, the application does not represent the least relief necessary and is not due to the unique characteristics of the subject land. The TRC feels that the applicant has sufficient room to the side of the property to locate an addition**

**without having to request a variance.**

**Walter J. and Joanne A. Matisewski, 16 Tricia Circle, Cranston, RI –  
Special Use Permit for a two sided 4'x6' professional sign to be  
located at 1011 Smithfield Avenue, Lincoln, RI.**

**AP 6, Lot 385 Zoned: RG 7**

**Members of the Technical Review Committee visited the site and reviewed the submitted plans and application. The TRC recommends Denial of the application for a special use permit. The Committee feels that the applicant can easily develop a sign to fit the business' needs while staying within the stated square footage of the zoning ordinance. The TRC pointed out several existing signs which conform to the Zoning requirement. The Technical Review Committee feels that this special use permit will alter the general character of the surrounding area and will impair the intent and purpose of the zoning ordinance and the Comprehensive Plan.**

**Albion Place LLC, 6 Blackstone Valley Place, Lincoln, RI –  
Comprehensive Permit Recommendation to establish six (6) new dwelling units, two (2) of which shall be countable as low or moderate income dwelling units, on property located on Main Street, Albion, RI.  
AP 32, Lot 44 Zoned: BL 0.5**

**The Zoning Board is to review the proposed Comprehensive Permit**

**and offer their recommendation to the Planning Board.**

**BCO, Inc., 89 Central Street, Manville, RI – Special Use Permit to maintain existing 2-family dwelling, demolish the garage and construct 5 additional town house style units.**

**AP 35, Lot 10 Zoned: RG 7**

**Members of the Technical Review Committee visited the site and reviewed the submitted plans and application. The Technical Review Committee recommends approval with conditions of this application. The TRC feels that the granting of a special use permit will not alter the general character of the surrounding area or impair the intent or purpose of the Lincoln Zoning Ordinance or the Lincoln Comprehensive Plan. The application successfully meets all other zoning requirements for this type of multi-family development such as site drainage, parking requirements and layout, fire line requirements and dumpster screening. The recommended conditions of approval are that the applicant dedicate and deed restrict two units as affordable according to the standards set out by Rhode Island Housing and the standards presented in the Town of Lincoln's Affordable Housing Production Plan. The other condition of approval is that a landscape plan be developed and reviewed by the Zoning Enforcement Officer.**

**Joyce Marcotte, 8 Meadow Site, Lincoln, RI – Dimensional Variance for side yard setback for the construction of an addition.**

**AP 45, Lot 130 Zoned: RA 40**

**Members of the Technical Review Committee visited the site and reviewed the submitted plans and application. The TRC recommends Denial of the application for a dimensional variance. The Committee feels that the application does not meet any of the standards for relief of a dimensional variance as presented in the Zoning Ordinance. More specifically, the TRC feels that the site plan and application does not represent the least relief necessary and is not due to the unique characteristics of the subject land. The TRC feels that the applicant has sufficient room to expand to a second floor on the existing foot print of the house without having to request a variance to expand to the side. The Technical Review Committee feels that the dimensional variance will alter the general character of the surrounding area and will impair the intent and purpose of the zoning ordinance and the Comprehensive Plan.**